# ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD MINUTES OF MEETING FEBRUARY 18, 2009 PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on February 18, 2009, at AZ POST, located at 2643 E. University Drive, Phoenix, AZ.

#### Members Present:

Mr. Joseph Duarte, Chairman

Sheriff John Armer

Dr. Scott Decker

Detective Lee Ann Dobbertin

Deputy Director Pennie Gillette-Stroud, representing Director Vanderpool

Chief Patricia Huntsman

Ms. Wendy Larsen

Interim Director Charles Ryan

Chief Jerry Sheridan

Sergeant Robert Thompson

#### Members Absent:

Attorney General Terry Goddard

Chief Jack Harris

Sheriff Tom Sheahan

# Staff in Attendance:

Ted Brandon

Marie Dryer

Rosalee Fitch

Tom Hammarstrom

Steve Jacobs

Lori Ketron

Lyle Mann

Gary Maschner

Paul Orfe

Sandy Sierra

Maria Valtierra

Rick Watling

# **Assistant Attorneys General**

Nancy Beck

Diana Stabler

#### A. CALL TO ORDER

Chairman Duarte called the meeting to order at 10:00 a.m.

# B. INTRODUCTIONS AND PRESENTATIONS

#### C. FINAL ACTION CASES:

# Case #1 - Kevin L. Haymore - Avondale Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, seconded by Sheriff Armer, motion carried unanimously.

#### Case #2 – Christian M. Young - Phoenix Police Department

Chief Sheridan and Ms. Larsen recused themselves from this case. The Board considered comments from Assistant A. G. Diana Stabler, Paul Charlton and Benjamin Runkle, attorneys for Mr. Young. Chief Huntsman made a motion to adopt the Consent Agreement Order and Decision and suspend peace officer certification for a period of 6 months beginning on December 14, 2007, and ending on June 14, 2008, seconded by Detective Dobbertin, motion carried unanimously.

# Case #3 – Gabriel A. Hernandez – Youngtown Police Department

The Board considered comments from Assistant A. G. Nancy Beck. Deputy Director Gillette-Stroud made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Ms. Larsen, motion carried with one nay vote.

# Case #4 – Joseph A. Sanchez – Tempe Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Deputy Director Gillette-Stroud, motion carried unanimously.

# Case #5 – Frank Soto – Tucson Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

#### Case #6 – Casey A. Stutz II – AZ Department of Public Safety

Deputy Director Gillette-Stroud recused herself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Chief Sheridan made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Huntsman, motion carried unanimously.

# Case #7 – Dwight F. Thayer Jr. – AZ Department of Public Safety

Deputy Director Gillette-Stroud recused herself from this case. The Board considered comments from Assistant A. G. Diana Stabler. Chief Huntsman made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Dr. Decker, motion carried unanimously.

# Case #8 – Roger Van Kuren Jr. – Phoenix Police Department

The Board considered comments from Assistant A. G. Diana Stabler. Deputy Director Gillette-Stroud made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Sheridan, motion carried unanimously.

#### D. NEW CHARGING CASES:

# Case #1 – Dana L. Anderson – Cochise County Sheriff's Office

Chief Sheridan made a motion to *Initiate Proceedings*, seconded by Deputy Director Gillette-Stroud, motion carried unanimously.

# Case #2 - Darrell Dolan - Navajo Division of Public Safety

Detective Dobbertin made a motion to *Initiate Proceedings*, seconded by Chief Huntsman, motion carried unanimously.

# Case #3 – Alphonso R. Duarte – Ft. Mohave Tribal Police Department

Sheriff Armer made a motion to *Initiate Proceedings*, seconded by Chief Sheridan, motion carried unanimously.

# Case #4 - Michael R. Fields - AZ Department of Public Safety

Deputy Director Gillette-Stroud recused herself from this case. Chief Sheridan made a motion to *Initiate Proceedings*, seconded by Chief Huntsman, motion carried unanimously.

# Case #5 – Gabirel A. Gaona – AZ Department of Public Safety

Deputy Director Gillette-Stroud recused herself from this case. Sheriff Armer made a motion to **Initiate Proceedings**, seconded by Chief Sheridan, motion carried unanimously.

# Case #6 – David Graf – Tempe Police Department

Chief Sheridan made a motion to *Initiate Proceedings*, seconded by Detective Dobbertin, motion carried unanimously.

# Case #7 – Jesus R. Guilin – Florence Police Department

Deputy Director Gillette-Stroud made a motion to *Initiate Proceedings*, motion died due to lack of a second. Chief Sheridan made a motion to close this case with *No Action with Agency Discretion*, seconded by Detective Dobbertin, motion carried with one nay vote.

<u>Case #8 – Jack H. Watling – AZ Department of Public Safety</u>

Deputy Director Gillette-Stroud recused herself from this case. Chief Huntsman made a motion to **Initiate Proceedings**, seconded by Chief Sheridan, motion carried unanimously.

# E. ADJOURN

Chairman Duarte adjourned the meeting at 11:20 a.m.